

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

ELDON DALY,

Defendant.

x

:

:

:

:

x

INFORMATION

W.P.
D. OF N.Y.

06 Cr.

06 CRIM. 0690
(SCR)

COUNT ONE

The United States Attorney charges:

1. From in or about February 2005 through in or about April 2005, in the Southern District of New York and elsewhere, ELDON DALY, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, violations of Title 18, United States Code, Sections 2113(a) and (d).

Objects of the Conspiracy

2. It was a part and an object of the conspiracy that ELDON DALY, the defendant, and others known and unknown, unlawfully, willfully and knowingly, by force and violence, and by intimidation, would and did take, and attempt to take, from the persons and presence of others, property and money belonging to and in the care, custody, control, management, and possession of various banks, the deposits of each of which were then insured by

the Federal Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a).

3. It was further a part and an object of the conspiracy that ELDON DALY, the defendant, and others known and unknown, while attempting to commit bank robberies, unlawfully, willfully and knowingly would and did assault persons and put in jeopardy the lives of such persons by the use of a dangerous weapon, namely, firearms and pellet guns, in violation of Title 18, United States Code, Section 2113(d).

Overt Acts

4. In furtherance of the conspiracy, and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York, and elsewhere:

a. On or about February 3, 2005, DALY and co-conspirators not named herein drove to the Charter One Bank on 253 North Main Street, Spring Valley, New York, and followed a bank employee to his residence.

b. On or about April 20, 2005, DALY and co-conspirators not named herein drove to the vicinity of Divine Corners Road in Loch Sheldrake, New York and attempted to enter a residence.

(Title 18, United States Code, Section 371.)

COUNT TWO

The United States Attorney further charges:

5. On or about February 3, 2005, in the Southern District of New York and elsewhere, ELDON DALY, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, by force and violence, and by intimidation, attempted to take, from the persons and presence of others, property and money belonging to and in the care, custody, control, management, and possession of the Charter One Bank, 253 North Main Street, Spring Valley, New York, the deposits of which were then insured by the Federal Deposit Insurance Corporation ("FDIC"), and in committing such offense, ELDON DALY, the defendant, did assault and put in jeopardy the life of another person by the use of a dangerous weapon, to wit, a pellet gun and a firearm.

(Title 18, United States Code, Sections 2113(a) and (d) & 2.)

COUNT THREE

The United States Attorney further charges:

6. On or about February 3, 2005, in the Southern District of New York and elsewhere, ELDON DALY, the defendant, and others known and unknown, unlawfully, willfully and knowingly, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, used and carried a firearm and, in furtherance of such crime, possessed and brandished a firearm, to wit, the conspiracy to

commit bank robbery charged in Count One of this Information.

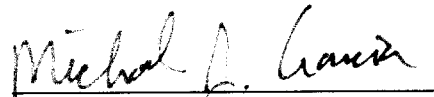
(Title 18, United States Code,
Sections 924(c)(1)(A)(i) & (ii) and 2.)

COUNT FOUR

The United States Attorney further charges:

7. On or about April 20, 2005, in the Southern District of New York, ELDON DALY, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, by force and violence, and by intimidation, attempted to take, from the persons and presence of others, property and money belonging to and in the care, custody, control, management, and possession of the First National Bank of Jeffersonville, 1278 Route 52, Loch Sheldrake, New York, the deposits of which were then insured by the Federal Deposit Insurance Corporation ("FDIC").

(Title 18, United States Code, Sections 2113(a) & 2.)



MICHAEL J. GARCIA
United States Attorney